



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,514	03/08/2001	Sridhar Obilisetty	VNET-P003	6110

7590 04/20/2004

WAGNER, MURABITO & HAO LLP  
Two North Market Street, Third Floor  
San Jose, CA 95113

EXAMINER
----------

VU, TUAN A

ART UNIT	PAPER NUMBER
----------	--------------

2124

DATE MAILED: 04/20/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/803,514

Applicant(s)

OBILISSETTY, SRIDHAR

Examiner

Tuan A Vu

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This action is responsive to the application filed March 8, 2001.

Claims 1-36 have been submitted for examination.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Note: 35 U.S.C. § 102(e), as revised by the AIPA and H.R. 2215, applies to all qualifying references, except when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. For such patents, the prior art date is determined under 35 U.S.C. § 102(e) as it existed prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. § 102(e)).

3. Claims 1-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Bloch et al.,  
USPN: 2002/0129129 ( hereinafter Bloch).

**As per claim 1**, Bloch discloses a method for implementing an application on a client computer system, said method comprising:

receiving at said client a plurality of text files; each defining a component of the application (e.g. Fig. 1; steps 66, 68, 70 - Fig. 5; Fig. 6; pg. 10-11, para 0095, 0096);

executing a program resident on said client system for using a combination of said text files to create an application (e.g. *AVM 221* - Fig. 2); and

creating said application on said client system according to said program (e.g. Fig. 2, 5).

Art Unit: 2124

**As per claim 2**, Bloch discloses XML format ( Fig. 1, 2, 4,5).

**As per claim 3**, Bloch discloses server central source for managing and distributing applications or modifications for applications (e.g. *upgrades, fixes* - pg. 3, para 0032; pg. 5, para 0045-0046; pg. 12, para 0109).

**As per claim 4**, refer to claim 3 and Bloch's Fig. 1, 2, 4,5.

**As per claim 5**, Bloch discloses executing an application, sending a request and executing the application in parallel while waiting for response from the request (e.g. ... *reports to the Application Handler 302, ... periodically updates* -- pg. 9, para 0080 – 0082 – Note: resolving a URL with data retrieval while leaving the GUI window on for being updated on tree events changes and notified of download status is equivalent to executing application while waiting for remote response)

**As per claim 6**, Bloch discloses connectionless application execution (e.g. pg. 8, para 0069; pg. 12, para 0108)

**As per claim 7**, Bloch discloses text files particular to client system (e.g. pg. 4, para 0037; pg. 5, para 0047, 0050)

**As per claim 8**, Bloch discloses modify application by using a newer text files (*upgrades, fixes* - pg. 3, para 0032; *most recent ...version* - pg. 12, para 0107).

**As per claim 9**, Bloch discloses graphical user interface (e.g. Fig. 6).

**As per claim 10**, Bloch discloses application being communication preferences for database invocation (e.g. pg. 7, para 0063; Preference Handler 303 - Fig. 4)

**As per claim 11**, Bloch discloses data management application (e.g. step 52 – Fig. 5; Manager 301 -Fig. 4 - Note: downloading files to assemble manager module reads on application being a management application).

**As per claim 12**, Bloch discloses component being part of logic of application (pg. 1, para 0012; pg. 4, para 0037).

**As per claim 13**, Bloch discloses a computer system with bus, processor coupled to a bus (*Client PC* - Fig. 1; pg. 12, para 0108) for implementing an application comprising the steps:  
receiving ( text files);  
executing (program resident);  
creating (application). All these steps limitations have been addressed in claim 1; hence are rejected herein with the corresponding rejections as set forth therein, respectively.

**As per claims 14-24**, these claims correspond to claims 2-12 respectively, hence are rejected with the corresponding rejections as set forth therein, respectively.

**As per claim 25**, Bloch discloses a computer-readable medium having program code on a computer system for:

installing a plurality of text files, each defining a component of the application (e.g. Fig. 1; steps 66, 68, 70 - Fig. 5; Fig. 6; pg. 10-11, para 0095, 0096);

installing a program wherein said program comprises instructions for using a combination of said text files to create an application (e.g. *AVM 221* - Fig. 2); and

creating said application on said client system according to said program (e.g. Fig. 2, 5).

**As per claims 26-36**, these claims correspond to claims 2-12 respectively, hence are rejected with the corresponding rejections as set forth therein, respectively.

Art Unit: 2124

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat No. 6,665,861 to Francis et al., disclosing metadata packaged and XMI for deploying EJ beans.

U.S. Pat No. 6,314,451 to Landsman et al., disclosing applet agent for downloading of ads files for ads applications.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A Vu whose telephone number is (703)305-7207. The examiner can normally be reached on 8AM-4:30PM/Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (703)305-9662.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872-9306 ( for formal communications intended for entry)

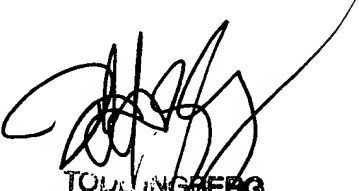
**or:** (703) 746-8734 ( for informal or draft communications, please consult Examiner before using this number)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA. , 22202. 4<sup>th</sup> Floor( Receptionist).

Art Unit: 2124

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VAT  
April 15, 2004



**TODD INGBERG**  
**PRIMARY EXAMINER**